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GOVERNMENT OPERATIONS
AND
COMMITTEE ON
MERCHANT MARINE
AND FISHERIES

Congress of the United States
House of Representatives
Washington, D.C. 20515

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Executive Registry
75-5948/2

June 6, 1975

Noted by D/I
6/11/75

Honorable William E. Colby
Director of Central Intelligence
Washington, D.C. 20505

Dear Bill:

I enclose a copy for your reference of an exchange of correspondence with the President.

I have felt considerable disquiet over the possibility that the U.S. Mission in Saigon did not accurately report the deteriorating situation in Vietnam to President Ford during the last four months preceding the fall of Saigon on April 30.

I would like to review all CIA communications to the NSC on this subject during this 120-day period and also the "direct input" to the President from the CIA which the President refers to in the second paragraph of his letter of May 8.

I am asking for a similar review of all DOD and State Department communications to the NSC and to the President during this same period.

I would appreciate your early advice as to how best I can speedily accomplish the review of CIA's reporting procedures and documents during this period.

Best regards,

Paul N. McCloskey, Jr.

PNMcC:jj
Enclosures

cc: Mr. George L. Carey

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THE WHITE HOUSE

WASHINGTON

May 8, 1975

Dear Pete:

Thank you for your letter of April 17 in which you, along with Ed Forsythe and John Erlenborn, expressed your concern regarding the flow of intelligence information to the President through the National Security Council. I also have reviewed the specific illustrations contained in your letter of April 21 relating to intelligence reporting from Vietnam in 1967.

The first of the two basic issues raised by your letter is whether the same individual should occupy a Cabinet position on the NSC as well as the position of Executive Secretary of the NSC since this would allow CIA intelligence estimates to be screened by policy-making officials. The second issue is whether I do, in fact, receive a direct input from the CIA without an opportunity for possible distortion to support current policies.

Let me assure you that I do receive a direct flow of intelligence information from the CIA in addition to advice from my Cabinet advisors and through the NSC system. Each morning, I receive an intelligence briefing by a CIA officer, as well as a written briefing paper collated by the CIA which clearly identifies the views of the other members of the intelligence community, including dissenting views when appropriate. I also receive more detailed CIA reports and analyses on various specific situations. Furthermore, the NSC system under my Administration does not in any way screen or restrict the flow of information to me. Rather, one of its primary functions is to ensure that all relevant information is

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brought to my attention in a timely manner and with all points of view represented. In all meetings of the Council, the Director of Central Intelligence provides an intelligence briefing to me and the other members and he can, of course, express his views directly on any matter under consideration.

The National Security Act of 1947 did not prescribe a precise structure for the operation of the NSC, thus allowing it to be tailored to the needs and circumstances of each Administration. As I said in my CBS interview on April 21, we sometimes find unique individuals who can handle successfully a combination of jobs and we should be able to take advantage of such ability. I am being very well served by Henry Kissinger, both as Secretary of State and as my Assistant for National Security Affairs. I see no reason to make a change in this arrangement.

I appreciate the sincere concern your two letters reflect and am very conscious of the need for accurate, timely information. I believe that current arrangements insure that that need is met.

Sincerely,

The Honorable Paul N. McCloskey, Jr.
House of Representatives
Washington, D. C. 20515

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Congress of the United States
House of Representatives
Washington, D.C. 20515

April 21, 1975

Honorable Gerald R. Ford
President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

On Friday, March 14, I reported to you on the factual situation in Vietnam as I had observed it during the period February 23-March 2. In the last section of that report I expressed concern that the hard intelligence summaries prepared by the CIA could be distorted by their passage through the hands of State and Defense Department people who desired that intelligence summaries be supportive of past or current policy success.

On April 17, several of us sent you a letter in the same vein, suggesting that it was imperative that the intelligence estimates of CIA not be screened by policy-makers before reaching your desk.

I have just learned of a specific case of such military and State "screening" which is not only an outrageous example of the modification of intelligence information, but which may very well have had a significant impact on the ultimate sad result in Vietnam. Enclosed are copies of cables from General Westmoreland, General Abrams, and the State Department's Robert Komer, in mid-August, 1967, which clearly reflect command influence, if not distortion, on the intelligence-reporting function of the CIA.

In August, 1967, our Embassy and MACV people in Saigon were attempting to show a continuing success in reducing the numbers of the Viet Cong (VC). The CIA had estimated a VC strength figure which included Viet Cong self-defense (SD) and secret self-defense (SSD) forces. The total estimated figure, including those forces, was 420,000-431,000, as compared to the previously-released figure of 299,000.

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You will note from General Abrams' cable, concurred in by General Westmoreland, that DOD asked that the intelligence estimate be reduced to remove the SS and SSD forces since these forces included a sizable number of old people and women, and cast doubt on the "image of success" DOD had "been projecting over the recent months . . . ."

Apparently, the generals were successful; the enemy order-of-battle strength was reduced as they requested. Five months later, however, during the Tet offensive of 1968, it appeared that VC forces were much stronger than estimated. The suddenness of the VC's initial successes, coupled with the long record of government representations that the VC was deteriorating in both strength and will, contributed materially to turning the tide of public opinion in America against both the war in Vietnam and the credibility of America's military leadership. This despite the fact that Tet, 1968, represented a real victory on our part, and effectively removed the VC as a competent military strike force.

You will note from the enclosed cables that Abrams and Westmoreland felt the CIA's figures would cause the press to draw:

> " . . . an erroneous and gloomy conclusion as to the meaning of the increase. All those who have an incorrect view of the war will be reinforced and the task will become more difficult."

I hope it is not presumptuous to suggest that in retrospect it was Generals Abrams and Westmoreland who had the incorrect view of the war. Their deception, of course, delayed the American people's perception of the true circumstances in Vietnam. More importantly, the "command position" of Generals Westmoreland and Abrams, if included in the National Intelligence Estimate thereafter sent to the President, may well have delayed President Johnson's perception of the true situation in Vietnam.

I call this to your attention, Mr. President, because I think it would be helpful to your own policy judgments to make sure that current intelligence estimates are not screened by Defense or State Department personnel at this crucial and difficult time.

I am sure that most of your former colleagues join me in hoping for your successful resolution of our present difficulties in Southeast Asia.

Best regards,

Paul N. McCloskey, Jr.

PNMcC:jj

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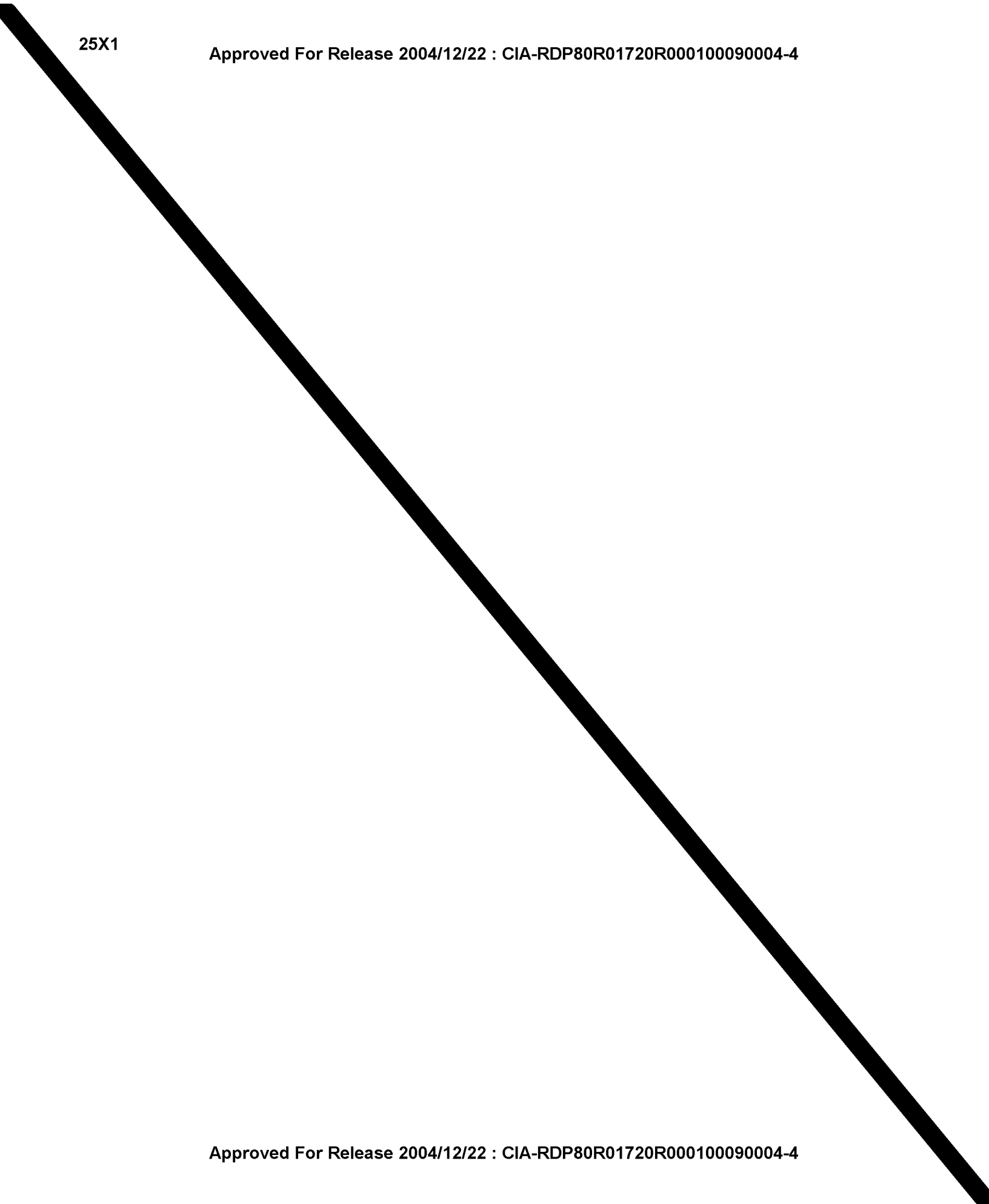

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STRENGTH FIGURES FOR SELF-DEFENSE FORCES (SD) AND SECRET SELF-DEFENSE FORCES (SSD) IN THE DRAFT NIE 14.3-67. IN GENERAL WESTMORELAND'S TEMPORARY ABSENCE, I THINK IT APPROPRIATE TO MAKE THE COMMAND POSITION ON THE INCLUSION OF THESE STRENGTH FIGURES CLEAR.

2. (S) IF SD AND SSD STRENGTH FIGURES ARE INCLUDED IN THE OVERALL ENEMY STRENGTH, THE FIGURE WILL TOTAL 420,000 - 431,000 DEPENDING ON MINOR VARIATIONS. THIS IS IN SHARP CONTRAST TO THE CURRENT OVERALL STRENGTH FIGURE OF ABOUT 299,000 GIVEN TO THE PRESS HERE.

3. (C) FROM THE INTELLIGENCE VIEWPOINT, THE INCLUSION OF SD AND SSD STRENGTH FIGURES IN AN ESTIMATE OF MILITARY CAPABILITIES IS HIGHLY QUESTIONABLE. THESE FORCES CONTAIN A SIZABLE NUMBER OF WOMEN AND OLD PEOPLE. THEY OPERATE ENTIRELY IN THEIR OWN HAMLETS. THEY ARE RARELY ARMED, HAVE NO REAL DISCIPLINE, AND ALMOST NO MILITARY CAPABILITY. THEY ARE NO MORE EFFECTIVE IN THE MILITARY SENSE THAN THE DOZENS OF OTHER NONMILITARY ORGANIZATIONS WHICH SERVE THE VC CAUSE IN VARIOUS ROLES.

4. (S) THE PRESS REACTION TO THESE INFLATED FIGURES IS OF MUCH GREATER CONCERN. WE HAVE BEEN PROJECTING AN IMAGE OF SUCCESS OVER THE RECENT MONTHS, AND PROPERLY SO. NOW, WHEN WE RELEASE THE FIGURE OF 420-431,000, THE NEWSMEN WILL IMMEDIATELY SEIZE ON THE POINT THAT THE ENEMY FORCE HAS INCREASED ABOUT 120-130,000, ALL AVAILABLE CAVEATS AND EXPLANATIONS WILL NOT PREVENT THE PRESS FROM DRAWING AN ERRONEOUS AND GLOOMY CONCLUSION AS TO THE MEANING OF THE INCREASE. ALL THOSE WHO HAVE AN INCORRECT VIEW OF THE WAR WILL BE REENFORCED AND THE TASK WILL BECOME MORE DIFFICULT.

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5. (S) [illegible] SHOULD BE OMITTED ENTIRELY FROM THE ENEMY STRENGTH TABLES IN THE FORTHCOMING NIE. THIS WILL PREVENT THE POSSIBILITY THAT THEY CAN BE ADDED TO THE VALID FIGURES, AND AN ERRONEOUS CONCLUSION DRAWN AS TO AN ENEMY STRENGTH INCREASE.

6. (U) I REALIZE THAT YOU ARE FULLY AWARE OF THE IMPLICATIONS SET FORTH ABOVE, AND THAT YOU SHARE OUR CONCERN. NEVERTHELESS, THE MATTER IS SO CRUCIAL HERE THAT I THINK IT ADVISABLE TO MAKE OUR POSITION KNOWN TO YOU.

7. I AM INFORMED THAT JOE FRIED OF THE NEW YORK DAILY NEWS RESIDENT IN SAIGON HAS THE GIST OF THE NEW INTELLIGENCE EXAMINATION AND THE TOTAL FIGURE OF ABOUT 420,000. ZORTHIAN AND SIDLE HAVE TALKED TO HIM AND HOPEFULLY HAVE PERSUADED HIM THAT ANY NEW FIGURES WOULD BE PREMATURE NOW.

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FOR CARVER FROM KOMER

1. UNDERSTAND FROM MACV THAT O/NE INSISTING ON INCLUSION 120,000 SDF AND SSDF IN NEW NIE FIGURES, THUS GIVING TOTAL OF 435,000 FOR ENEMY O/B.

2. YOU ARE FAMILIAR WITH NEW MACV FIGURES WHICH REPRESENT MAJOR STEP FORWARD TOWARD SOUNDER ANALYSIS. I CANNOT SEE CASE FOR INCLUDING VAGUE ESTIMATES OF LOW GRADE PART-TIME HAMLET SELF-DEFENSE GROUPS, MOSTLY WEAPONLESS, IN NEW O/B. FOR DO WE INCLUDE RDPGS, HAMLET MILITIA, OR COMBAT YOUT ON GIV SIDE.

3. MACV IS DETERMINED STICK BY ITS GUNS, AND YOU CAN WELL IMAGINE RUCKUS WHICH WOULD BE CREATED IT IF CAME OUT AS EVERYTHING TENDS TO ON VIETNAM THAT AGENCY AND MACV FIGURES WERE SO WIDELY DIFFERENT. ANY EXPLANATION AS TO WHY WOULD SIMPLY LEAD PRESS TO CONCLUDE THAT MACV WAS DELIBERATELY OMITTING SDF/SSDF CATEGORY IN ORDER DOWNGRADE ENEMY STRENGTH. THUS CREDIBILITY GAP WOULD BE FURTHER WIDENED AT VERY TIME WHEN IN FACT WE ARE MOVING TOWARD MUCH MORE VALID ESTIMATES.

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4. ALSO UNDERSTAND THAT NIE PROJECTS 15,000 MAN ENEMY STRENGHT INCREASE BY END OF YEAR. ON WHAT IS THIS BASED? IT IS CONTRARY TO WHOLE TREND OF ANALYSIS OUT HERE, INCLUDING HIGHER ENEMY LOSS RATES,

NEW OFFICIAL MACV ESTIMATE THAT IN-COUNTRY RECRUITING JANUARY-MAY 1967 PROBABLY DOWN TO 3500 PER MONTH, AND LACK OF ANY EVIDENCE THAT INFILTRATION RATE UP IF INDEED IT IS AVERAGING AS HIGH AS LAST YEAR.

5. WILL YOU PLEASE HELP STRAIGHTEN OUT THIS MATTER, WHICH IS OF CONCERN TO WHOLE TOP LEVEL HERE. SURE YOU AGREE THAT WE HAVE ENOUGH REAL PROBLEMS WITHOUT ADDING ON PAPER WARS.

BT

* PORTION BEING SUED FOR CONFIRMATION

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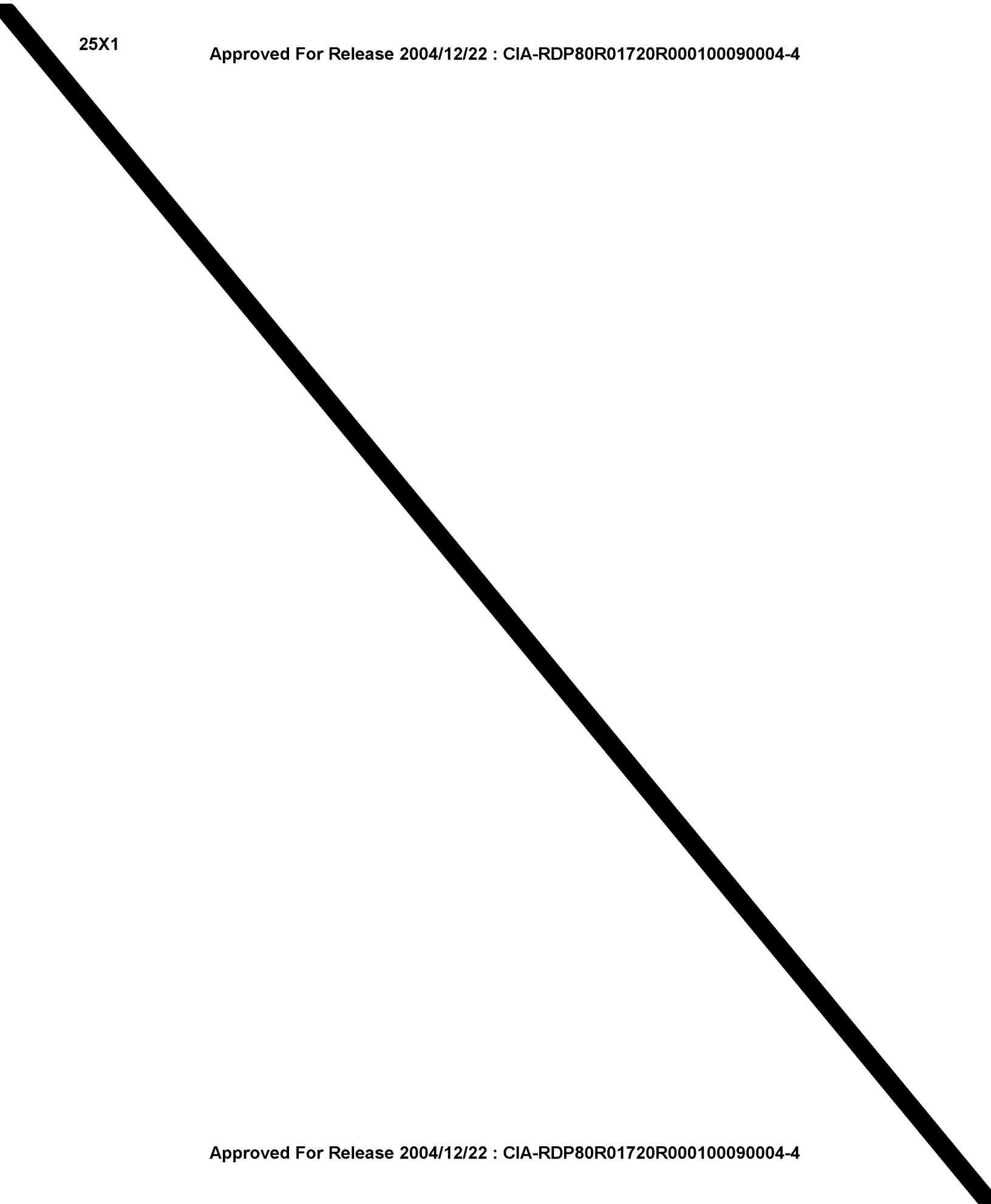

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Congress of the United States
House of Representatives
Washington, D.C. 20515

April 17, 1975

President Gerald R. Ford
The White House
Washington, D.C. 20500

Dear Mr. President:

We hesitate to intrude on executive branch personnel matters and would not do so but for the unique foreign policy situation the nation now faces.

We think that the National Security Act of 1947, setting up both the National Security Council (NSC) and the Central Intelligence Agency (CIA), did not intend that the same individual occupy both a Cabinet position on the NSC and the staff position of Executive Secretary of the NSC.

Ideally, intelligence advice, recommendations and evaluation (the CIA's responsibility to you under the Act) should not pass through a screen of policy-making officials. Understandably, policy makers may not agree with intelligence estimates which are critical or in disagreement.

Because the CIA reports to you through the National Security Council staff, we think it fair to suggest that the same individual not serve in a dual capacity as both a Cabinet officer and Executive Secretary of the National Security Council itself.

This recommendation is made with sincere respect for the individual who presently holds both of these jobs, but with the belief that you should have the benefit of separate advice from each of the high offices involved.

Respectfully,

Pete McCloskey

Glen B. Fo

John M. Ellenbo

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